

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Aloys Wobben  
Application No. : 10/729,821  
Filed : December 5, 2003  
For : SWITCHING APPARATUS WITH AN ACTUATING SHAFT

Examiner : Christopher M. Verdier  
Art Unit : 3745  
Docket No. : 970054.450C1  
Date : September 22, 2006

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents:

Applicant's attorney thanks the Examiner for the telephone conference of September 22, 2006.

Upon completion of the telephone conference, Applicant's attorney reviewed the file and found, for the first time, a letter for the client dated September 6, 2006 that provided prior art from a New Zealand search report. The first time the client had provided any indication of a search report having been received from New Zealand. The prior art patents listed in the search report were obtained some time later. Since prior art cited by New Zealand Patent Office included an article that Applicant's attorney could not obtain, it had to be sent by the client. This prior art article was first received on September 20, 2006.

Applicant's attorney was not aware of the letter from the client when the phone interview was conducted today and apologizes for not letting the Examiner know it had just been received and would need to be considered.

This newly found prior art has now been reviewed and compared to the art of record. None of the newly submitted prior art relates to wind turbines. It appears to disclose generic rotary switches of types commonly known in the art and of types cited by the Examiner previously in this case. Applicant's attorney has compared this new art to the art already cited in the pending application and believes it is merely cumulative and is not more relevant than any art already of record. Thus, the claims as indicated as allowable are believed to still be allowable. However, in order to comply with the duty of disclosure, applicant's attorney is providing a copy of the prior art.

A fee of \$180 is submitted in accordance with 37 CFR 1.97(c) because applicant's attorney does not know when the client received the New Zealand search report. While applicant's attorney became aware of the art for the first time today and the existence of it came into the attorney's office on September 6, 2006 for the first time, since the date it came to the client is not confirmed to less than 3 months, a fee is included. If the Examiner requests, applicant's attorney will request the client to provide the date they first received the New Zealand search report.

The Director is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

/David V. Carlson/

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David V. Carlson  
Registration No. 31,153

DVC:lcs

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

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